

ORDINANCE NO. 98 - 57

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR **98-76 COM 1 (GREATON-LAKE WORTH ROAD)**, MODIFYING PAGE 76 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 12.03 ACRES GENERALLY LOCATED ON THE NORTH SIDE OF LAKE WORTH ROAD, APPROXIMATELY 800 FEET WEST OF FLORIDA'S TURNPIKE, FROM LOW RESIDENTIAL, 2 UNITS PER ACRE (LR-2) TO COMMERCIAL LOW-OFFICE WITH AN UNDERLYING 2 UNITS PER ACRE (CL-O/2); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on June 19, June 26, and July 10, 1998 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 15, 1998 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the

1 Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida
2 Statutes; and

3 **WHEREAS**, Palm Beach County received on, October 7, 1998 the Department of
4 Community Affairs "Objections, Recommendations, and Comments Report," dated October 1, 1998,
5 which was the Department's written review of the proposed Comprehensive Plan amendments; and

6 **WHEREAS**, the written comments submitted by the Department of Community Affairs
7 contained no objections to the amendments contained in this ordinance;

8 **WHEREAS**, on December 2, 1998, the Palm Beach County Board of County
9 Commissioners held a public hearing to review the written comments submitted by the Department
10 of Community Affairs and to consider adoption of the amendments; and

11 **WHEREAS**, the Palm Beach County Board of County Commissioners has determined that
12 the amendments comply with all requirements of the Local Government Comprehensive Planning
13 and Land Development Regulation Act.

14 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
15 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

16 **Part I. Amendments to the Future Land Use Atlas of the Land Use Element of the 1989**
17 **Comprehensive Plan**

18 The following amendment to the Land Use Element's Future Land Use Atlas is hereby
19 adopted and is attached to this Ordinance as Exhibit 1:

20 **A. Future Land Use Atlas page 76** is amended as follows:

21 **Application No.:** 98-76 COM 1 (Greateon-Lake Worth Road)

22 **Amendment:** From Low Residential, 2 units per acre (LR-2) to Commercial Low-
23 Office with an underlying 2 units per acre (CL-O/2);

24 **General Location:** On the north side of Lake Worth Road, approximately 800 ft west of
25 Florida's Turnpike;

26 **Size:** Approximately 12.03 acres.

27 **B. Conditions:** This parcel is limited to the following uses only:

- 28 1. financial institution;
29 2. business or professional office;

3. medical and dental clinic;
4. medical and dental laboratory;
5. data information processing;
6. veterinary clinic, without outdoor kennels;
7. day care facility;
8. governmental services;
9. congregate living facility Type 3;
10. church or synagogue.

Any request for a change in the above listed uses shall require an amendment to the Palm Beach County Comprehensive Plan.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a

1 resolution affirming its effective status, a copy of which resolutions shall be sent to the Department
2 of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee.
3 Florida 32399-2100.

4 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach
5 County, on the 2 day of December, 1998.

6 ATTEST:
7 DOROTHY H. WILKEN, Clerk

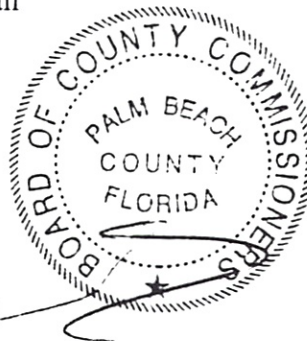
PALM BEACH COUNTY, FLORIDA.
BY ITS BOARD OF COUNTY COMMISSIONERS

8 By: Joan Harvey
9 Deputy Clerk Chair

By: Mande Ford Lee

10 APPROVED AS TO FORM AND
11 LEGAL SUFFICIENCY

12 [Signature]
13 COUNTY ATTORNEY



14 Filed with the Department of State on the 9th day
15 of December, 1998.

EXHIBIT 1

A. Future Land Use Atlas page 76 is amended as follows:

Amendment No.: 98-76 COM 1 (Greateon-Lake Worth Road)

Location: On the north side of Lake Worth Road, approximately 800 ft west of Florida's Turnpike

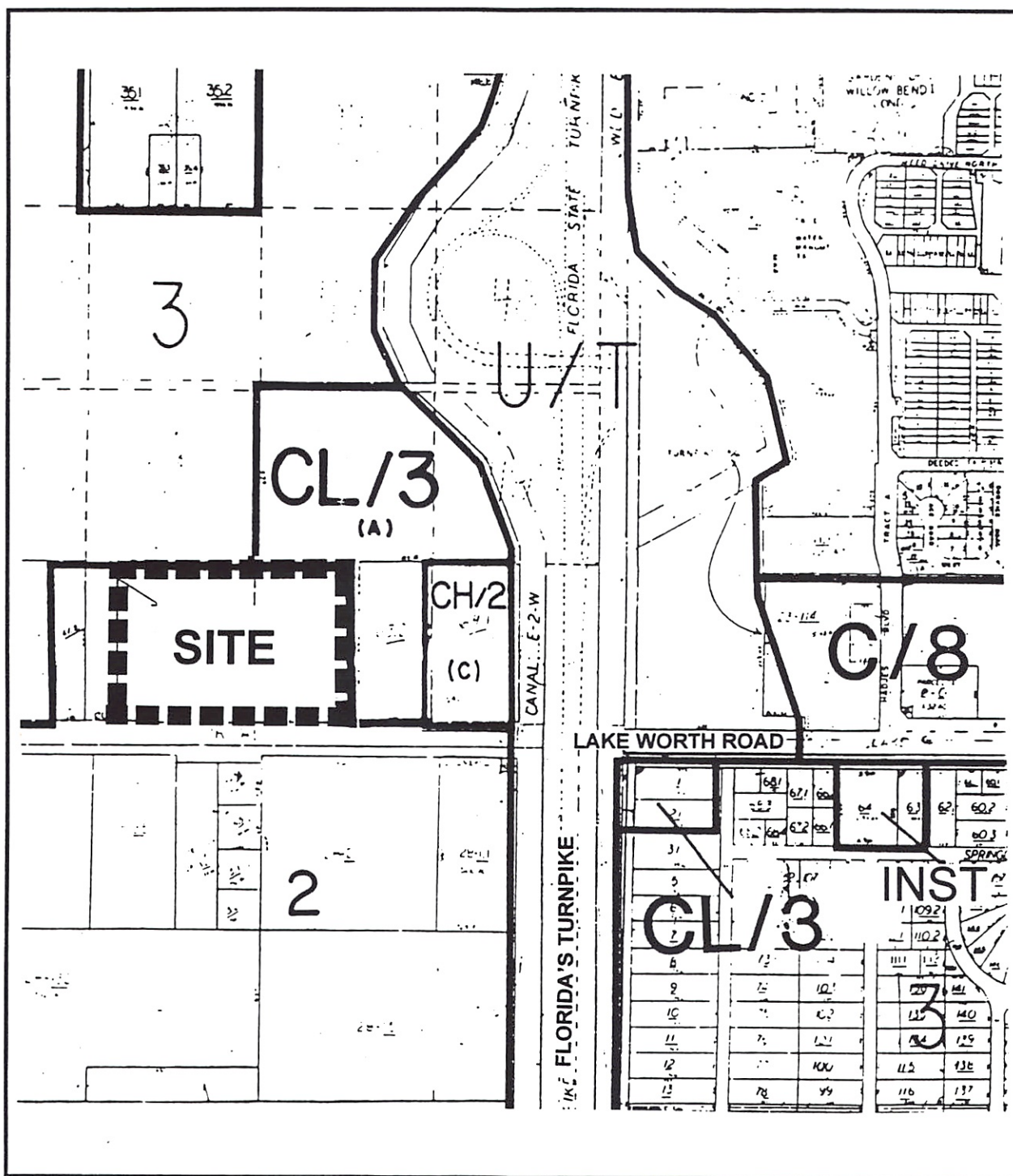
Size: 12.03 acres

Original FLU: Low Residential, 2 units per acre (LR-2)

Adopted FLU: Commercial Low-Office with an underlying 2 units per acre (CL-O/2);

Property No.: 00-42-43-27-05-024-0621 (7.472 ac.)
00-42-43-27-05-024-0631 (4.567 ac.)

Legal Description: See attached



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Legal Description:

4.565 Acre Parcel

THE WEST ONE-HALF (½) OF TRACT 63, BLOCK 24, THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54 INCLUSIVE OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPTING THEREFROM THE SOUTHERLY 58.16 FEET, MORE OR LESS, HERETOFORE CONVEYED TO COUNTY OF PALM BEACH, STATE OF FLORIDA, FOR ROAD RIGHT-OF-WAY PURPOSES IN DEED BOOK 899, PAGE 675, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 198,841.06 SQUARE FEET OR 4.565 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD.

BEARINGS SHOWN HEREON ARE RELATIVE AND ARE BASED ON AN ASSUMED BEARING OF NORTH 89 DEGREES 59 MINUTES 52 SECONDS WEST, ALONG THE SOUTH LINE OF TRACKTS 47, 51, AND 52, BLOCK 24 AS SHOWN ON THE PLAT OF CYPRESS WOODS II, PLAT BOOK 62, PAGES 147 THROUGH 151

7.472 Acre Parcel

TRACT 62, LESS THE WEST 120.00 FEET AND LESS THE RIGHT OF WAY FOR STATE ROAD 802, BLOCK 24, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 325,477.09 SQUARE FEET OR 7.472 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD.

BEARINGS SHOWN HEREON ARE RELATIVE AND ARE BASED ON AN ASSUMED BEARING OF NORTH 89 DEGREES 59 MINUTES 52 SECONDS WEST, ALONG THE SOUTH LINE OF TRACKTS 47, 51 AND 52, BLOCK 24, AS SHOWN ON THE PLAT OF CYPRESS WOODS II, PLAT BOOK 62, PAGES 147 THROUGH 151.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 12/2/98
DATED at West Palm Beach, FL on 12/2/98
DOROTHY H. WILKEN, Clerk
By: Phyllis A. Howe D.C.

ORDINANCE NO. 98 - 56

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR **98-29 RES 1 (NORTHLAKE MEMORIAL)**, MODIFYING PAGE 29 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 142.33 ACRES GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTHLAKE BOULEVARD AND MEMORIAL PARK ROAD, FROM INDUSTRIAL (IND) TO LOW RESIDENTIAL, 1 UNIT PER ACRE (LR-1); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on June 19, June 26, and July 10, 1998 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 15, 1998 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and

comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on, October 7, 1998 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated October 1, 1998, which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of Community Affairs contained no objections to the amendments contained in this ordinance;

WHEREAS, on December 2, 1998, the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the Future Land Use Atlas of the Land Use
Element of the 1989 Comprehensive Plan

The following amendment to the Land Use Element's Future Land Use Atlas is hereby adopted and is attached to this Ordinance as Exhibit 1:

A. Future Land Use Atlas page 29 is amended as follows:

Application No.: 98-29 RES 1 (Northlake Memorial)

Amendment: From Industrial (IND) to Low Residential, 1 unit per acre (LR-1);

General Location: On the northeast corner of Northlake
Boulevard and Memorial Park Road

Size: approximately 142.33 acres.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area

1 of Palm Beach County in conflict with any provision of this ordinance
2 are hereby repealed to the extent of such conflict.

3 **Part III. Severability**

4 If any section, paragraph, sentence, clause, phrase, or word of
5 this Ordinance is for any reason held by the Court to be
6 unconstitutional, inoperative or void, such holding shall not affect
7 the remainder of this Ordinance.

8 **Part IV. Inclusion in the 1989 Comprehensive Plan**

9 The provision of this Ordinance shall become and be made a part
10 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
11 Ordinance may be renumbered or relettered to accomplish such, and the
12 word "ordinance" may be changed to "section," "article," or any other
13 appropriate word.

14 **Part V. Effective Date**

15 The effective date of this plan amendment shall be the date a
16 final order is issued by the Department of Community Affairs or
17 Administration Commission finding the amendment in compliance in
18 accordance with Section 163.3184, Florida Statutes, whichever occurs
19 earlier. No development orders, development permits, or land uses
20 dependent on this amendment may be issued or commence before it has
21 become effective. If a final order of noncompliance is issued by the
22 Administration Commission, this amendment may nevertheless be made

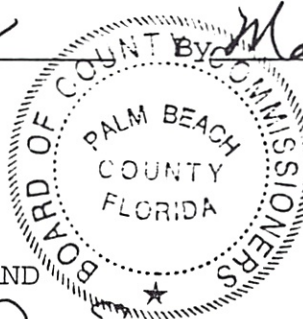
1 effective by adoption of a resolution affirming its effective
2 status,a copy of which resolutions shall be sent to the Department
3 of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak
4 Boulevard, Tallahassee, Florida 32399-2100.

5 **APPROVED AND ADOPTED** by the Board of County Commissioners of
6 Palm Beach County, on the 2 day of December, 1998.

7 ATTEST:
8 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

9 By: Joan Hawley
10 Deputy Clerk



Manda Ford Lee
Chair

11 APPROVED AS TO FORM AND
12 LEGAL SUFFICIENCY

13 [Signature]
14 COUNTY ATTORNEY

15 Filed with the Department of State on the 9th day
16 of December, 1998.

17 A:\NOLAKE-1.WPD

EXHIBIT 1

A. Future Land Use Atlas page 29 is amended as follows:

Amendment No.: 98-29 RES 1 (Northlake Memorial)

Location: On the northeast corner of Northlake Boulevard and Memorial Park Road

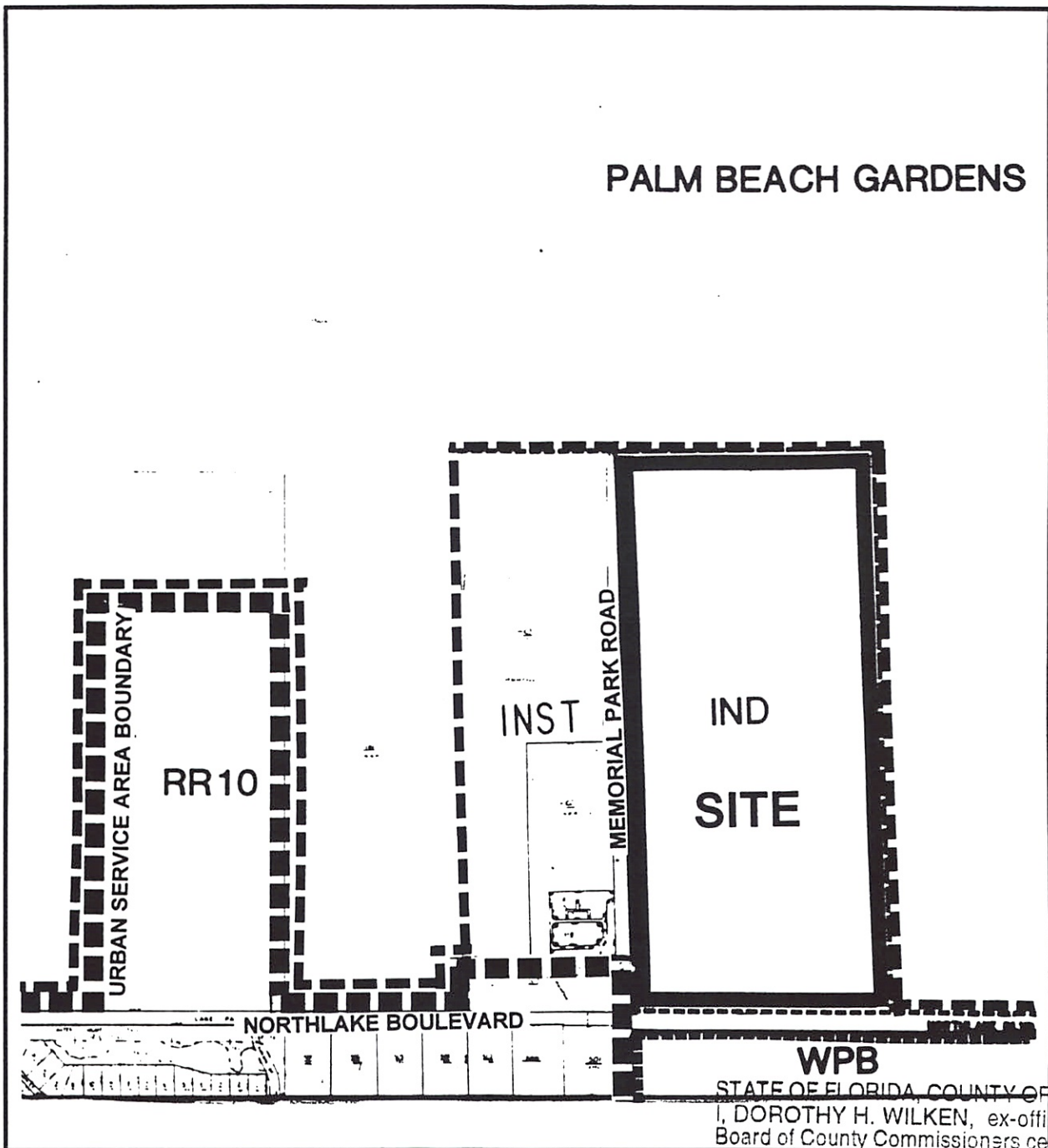
Size: 142.33 acres

Original FLU: Industrial (IND)

Adopted FLU: Low Residential, 1 unit per acre (LR-1)

Property No.: 00-41-42-13-00-000-3010-00

Legal Description: The West one-quarter (W 1/4) of Section 13, Township 42 South, Range 41 East, Palm Beach County, Florida, LESS the South 587.82 feet of the West one-quarter (W 1/4) of Section 13, Township 42 South, Range 41 East, and LESS the right-of-way for Lake Park West Road as recorded in Official Record Book 1241, page 198, and Official Record Book 6927, page 370, Public Records of Palm Beach County, Florida.



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